

REMARKS/ARGUMENTS

The Office Action of March 8, 2005, has been carefully considered.

It is noted that claim 1 is objected to for containing various informalities.

Claims 1-11, 17 and 18 are rejected under 35 U.S.C. §103(a) over the patent application of Kwon in view of the patent to Westrope.

Claim 16 is rejected under 35 U.S.C. §103(a) over Kwon in view of Westrope, and further in view of the patent to Parkin et al.

Finally, it is noted that claims 12-15 would be allowable if rewritten in independent form.

In connection with the Examiner's objection to claim 1, applicant has amended claim 1 so that it begins with a capital letter. In view of this change, it is respectfully submitted that the objection of claim 1 as containing informalities is overcome and should be withdrawn.

It is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the constructions disclosed in the references.

Turning now to the references, and particularly to the patent application of Kwon, it can be seen that this reference discloses an auxiliary handle fixture for a modular headline of an automobile. In his rejection, the Examiner stated the following: "Kwon (figures 3 and 4b) teaches a system for holding an accessory in the form of a handle to a sheet 10 including a clip 4 with first arms 40 bearing against one side of the sheet 10 that extend from the base, which contains a threaded aperture 48, and second arms 44 that alternate with the first arms 40 and have ends 45 that bear against the opposite side of the sheet 10."

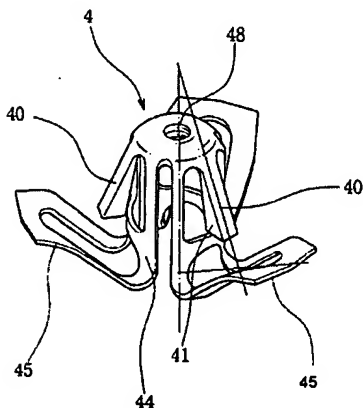
Applicant respectfully submits that the Examiner's statement "...and second arms 44 that alternate with the first arms..." is not correct, as can be seen in Fig. 3 of Kwon. In this figure, the elastic coupling pieces 40 and the supporting pieces 45 are not arranged in an alternating fashion around the base. Both pieces 40 and 45 are aligned in the same position relative to the 360° circumference of the clip. Thus, the main axes of the pieces 40, 45 are arranged in the same plane.

In the presently claimed invention, on the other hand, the first and second elastically deformable arms are arranged "alternating in location around the base." Thus, after a first arm there is a second arm, and then once again a first arm, etc. The first and second arms are arranged in symmetrical positions around the base so that there is a second arm diametrically

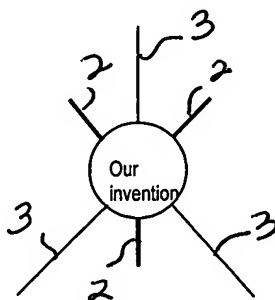
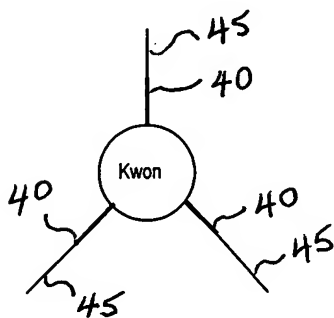
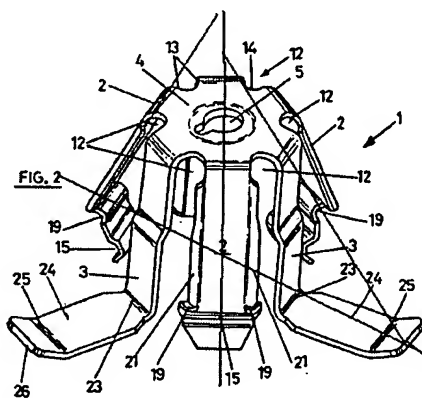
opposed to each first arm. Such a construction is not disclosed, taught or suggested by Kwon.

Furthermore, applicant submits that the Examiner has misinterpreted Kwon's reference to a 120° interval. In Kwon, each pair made up of a coupling piece 40 and a supporting piece 45 is separated by 120° from another pair made up of a coupling piece 40 and a supporting piece 45. With such an arrangement, there is never a first arm diametrically opposite and facing a second arm, as in the presently claimed invention. This difference between the presently claimed invention and Kwon is shown in the diagrams below.

Kwon



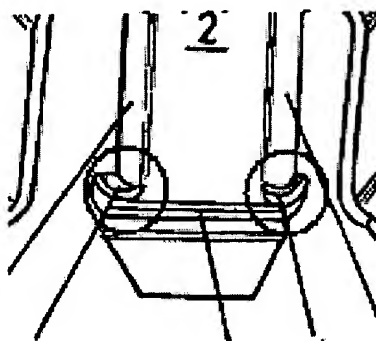
Present Invention



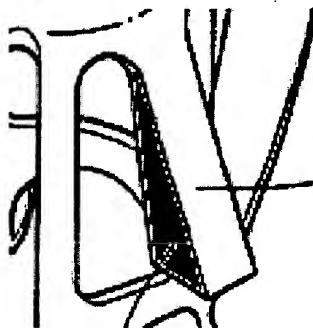
The alternating position of the arms in the presently claimed invention gives important technical advantages. In Kwon, as mentioned previously, there is 120° between each set of aligned arms. In other words, there is a "window" of 120° without any arms. This means that through this arc of 120° , there is not any additional arm or equivalent means for absorbing the coupling forces. In the arrangement of the presently claimed invention, there is only a "window"

of 60° which provides much better absorption of coupling forces.

The patent to Westrope discloses a molding fastener. The Examiner combined Westrope with Kwon in arguing that it would be obvious to modify the ends of the arms of the fastener of Kwon to have folds to form channels. Applicant respectfully submits that the combination of references does not teach this feature. In the present invention, the first arms 2 have curved longitudinal strips 21 in their lateral edges. The ends of the longitudinal strips 21 form folds that define transverse channels. Applicant has reproduced a portion of Fig. 2 of the present application below which shows the structural modification to the end of the curved longitudinal strips 21.



The folds in the first arms of Westrope are carried out over a planar surface so that they can be easily produced. In Kwon, on the other hand, the first arms are different since they have lateral folds to the planar surface of the first arm, as shown below in a copy of a portion of Fig. 3 of Kwon. In view of the different types of arms in Westrope and Kwon, it is respectfully submitted that Westrope provides no motivation for folding the ends of longitudinal strips on the lateral sides of the arms as in the present invention.



Lateral surfaces are important since they avoid cutting edges which render the mounting of the clip more difficult and lead to erroneous final placement of the accessories, which in turn can produce failures in the fastening of the clip. This is due to the fact that the mounting is carried out by sliding the clip within an orifice so that the presence of cutting edges either in the orifice or in the clip makes advancement of the clip through the orifice more difficult. Experience has shown that the presence of cutting edges can produce noises originated by vibrations, a lesser degree of tightening and a poor fitting.

In order to avoid the aforementioned drawbacks, the lateral edges of the main surfaces are folded. Applicant respectfully submits that providing folds as recited in the presently claimed invention is not obvious since the surfaces lateral to the main surface work as a beam side plate and they do not allow folding or obtaining folds without carrying out non-evident structural modifications. Thus, applicant respectfully submits that it would not be obvious to those skilled in the art at the time the application was filed to combine the teachings of Kwon with Westrope in order to arrive at the presently claimed invention.

Thus, the combination of references relied upon by the Examiner does not teach a system having first and second formable arms that alternate around the base symmetrically, as in the presently claimed invention. Furthermore, the combination of references does not provide a system for attaching an accessory to a sheet whereby the absorption of the coupling forces is much better than in the prior art and simultaneously provides a more secure fixing, better placement and better fitting, as in the presently claimed invention. Such a construction is not taught by the references relied upon by the Examiner either alone or in combination.

In view of these considerations, it is respectfully submitted that the rejection of claims 1-11, 17 and 18 under 35 U.S.C. §103(a) over a combination of the above discussed references is overcome and should be withdrawn.

The patent to Parkin et al. discloses a sheet metal nut device. The Examiner combined this reference with Kwon and Westrope in determining that claim 16 would be unpatentable over such combination. Applicant respectfully submits that Parkin et al. adds nothing to the teachings of Westrope and Kwon so as to arrive at the presently claimed invention as discussed previously in connection with claims 1-11, 17 and 18. Thus, it is believed that more detailed comments on this reference at this time would be superfluous. Therefore, it is respectfully submitted that the

rejection of claim 16 under 35 U.S.C. §103(a) over a combination of the above discussed references is overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on June 8, 2005:

Robert C. Faber

Name of applicant, assignee or
Registered Representative

Robert C. Faber
Signature

June 8, 2005

Date of Signature

RCF:KPS:ck

Respectfully submitted,

Robert C. Faber
Robert C. Faber
Registration No.: 24,322
OSTROLENK, FABER, GERB & SOFFEN, LLP
1180 Avenue of the Americas
New York, New York 10036-8403
Telephone: (212) 382-0700